

EI-6458



500 Water Street - J200
Jacksonville, FL 32202
(904) 633-1068
FAX (904) 245-2226

Dave Geraci
Manager - Network Rationalization

February 20, 2008

Surface Transportation Board
Section of Environmental Analysis
395 East Street, SW
Washington, DC 20423-0001

RE: CSXT Abandonment
Niagara County, NY
STB Docket AB-55 (Sub-No. 649X)

Dear STB - SEA:

This refers to CSX Transportation's Notice of Exemption filed on September 7, 2007, requesting authority to abandon its rail line described above. In response to CSXT's letters and information packages dated July 3, 2007, August 7, 2007, October 4, 2007; emails dated December 7, 2007, January 21, 2008 and telephone messages and conversations on October 4, 2007, December 6, 2007 and February 20, 2008, the New York Department of State - Division of Coastal Resources has finally submitted an email dated February 20, 2008 from Ms. Denise Caldwell on behalf of Mr. Jeffrey Zappieri, Supervisor of Consistency Review stating, *"...the activity would not be undertaken within a State designated Significant Coastal Fish and Wildlife Habitat area or an area covered by an approved Local Waterfront Revitalization Program."*

Sincerely,

A handwritten signature in black ink, appearing to be "D. Geraci", written over a horizontal line.

Attachment

Copy: Mr. Steven Armbrust, CSXT, 500 Water Street-J150, Jacksonville, FL, 32202

Geraci, Dave

From: Caldwell, Denise (DOS) [Denise.Caldwell@dos.state.ny.us]
Sent: Wednesday, February 20, 2008 3:09 PM
To: Geraci, Dave
Subject: CSX Transportation, Inc. (DOS #F-2007-0942)

Dear Mr. Geraci:

The Department of State received your Federal Consistency Assessment Form and supporting documentation on October 4, 2007.

After speaking with Jeffrey Zappieri, Supervisor of Consistency Review, it has been determined that the activity would not be undertaken within a State designated Significant Coastal Fish and Wildlife Habitat area or an area covered by an approved Local Waterfront Revitalization Program. Therefore, further review of this project by the Department of State, and concurrence with your consistency certification, is not necessary.

If you have any questions regarding this matter, please our office at (518) 474-6000.

Denise S. Caldwell
Administrative Assistant
NYS Department of State
Division of Coastal Resources
99 Washington Avenue
One Commerce Plaza, Suite 1010
Albany, New York 12231-0001
☎: (518) 474-3643 | 📠: (518) 473-2464
Email: denise.caldwell@dos.state.ny.us
website: <http://waterfronts.com>

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2/20/2008